IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 9085 OF 2005
ALONG WITH
CIVIL APPLICATION NO. 614 OF 2006

Shri. Khatavkar Vishwanathrao Durgojirao .. Petitioner

Versus

The State of Mah. and Ors. Respondents

Ms. S.D. Kenjale i/by N.V. Vechalekar for Petitioner.

CORAM : F.I. REBELLO &
DR.D.Y.CHANDRACHUD,JJ.
DATED : MARCH 03, 2006

P.C.

. The perusal of the reliefs would show that the prayer Clause (a) is to direct respondent to frame rules in accordance with the principles of natural justice, equity and good conscience and fair play for conducting proceedings for issuance of recovery certificate under Section 101 of the Maharashtra Cooperative Societies Act. That is solely a legislative act and will not be open for this court to issue any such direction. In so far as Prayer Clause (b) is concerned, the validity of section 101 has been upheld by the Division Bench of this

court. In so far as Prayer Clause (c) is concerned, the Petitioner can always file revision but after satisfying the requirements of section 154. Considering that, the Petitioner has remedy by way of revision, the question of considering Prayer Clause (b) and (c) would not arise. With the above observations, petition along with Civil Application disposed of.

(F.I. REBELLO,J.)

(DR. D.Y. CHANDRACHUD,J.)